ma Waller has played in London, and the metropolitan press accord her an unusual share of commendation. She acts Lady Macbeth, Pauline, Julia, in the Hunchback, and characters of a similar stamp, and also a great number of comedy parts, from Lady Gay Spanker to "Singing Chambermaids" in farces. In fact, no small part of her fame appears to have been won by ber powers as a ballad-singer. It is very unusual for her powers as a banacistic of the very unusual for a lady to play so wide a range of characters as Mrs. Waller attempts, and it is really an undertaking so bold as to be andacious in any one not possessed of positive genius. We shall be happy to see Mrs. Waller have an opportunity to vindicate her claim to the

Mr. and Mrs. Waller have played much in Califorole, Australia and the Sandwich Islands.

#### FIRES.

FIRE IN CHAMBERS STREET. About 7 o'clock on Saturday evening last, the building No. 92 Chambers street, occupied as a dry goods store by Mesers. Williams & Powers, was discovered to be on fire. The firemen promptly responded to the alarm, and extinguished the flames; not, however, before damage to the amount of \$7,000 or \$8,000 had been done by fire and water. The above-named firm are understood to be fully insured. The fire is supposed to have originated among some cotton batting in the basement, and communicated to the floor above.

#### CITY ITEMS.

TRADE SALES .- The trade sales have continued with unabated spirit during the past week, and, notwithstanding the financial pressure, have attracted a large attendance and as lively competition among bidders as at any previous season. The large invoice of Stringer & Townsend will be offered to day at the sale of Leavitt & Co., comprising their excellent library edition of Cooper's Works, Frank Forester's Sportsman's Library and a variety of valuable publi. cations in the departments of architecture, engineering and mechanics. An extensive invoice of stationery is offered at the salesrooms of Bangs, Brother & Co.

COMMISSIONERS OF EXCISE.—There was no quorum present on Saturday afternoon of the Board of Excise, Com. Haskett the only member in attendance, adjourned over until to-day at 1 p. m., at the Court-Room of the Common Pleas, part No. 2.

THE CASE OF MUNSON S. LOCKWOOD VS. NEW-YORK TIMES .- The libel suit instituted by Munson S. Lockwood, late agent of the State Prison at Sing Sing, against The New-York Daily Times, for having charged him with dishonesty in some of his official transactions, was tried before the Supreme Court at White Plains, Westchester County, a few days ago, and resulted in the verdict of 61 cents damages in favor of the plaintiff.

A SURROGATE FOR QUEENS COUNTY .- At the last meeting of the Board of Supervisors of Queens County, it was resolved that, at the next election of State efficers, an officer separate from the County Judge be elected to perform the duties of, and be known as, the Surrogate of said County, at a salary of \$1,100 per annum, from the 1st of January next. The salary of the County Judge from the same day was fixed at \$700 per annum.

THE EASTERN MAIL.-The Postmaster gives notice that on and after to-day the Eastern steamboat mail will close at 31 p. m. The steamers of the Stonington line, on and after to-night, will leave pier No. 2 North River at 5 p. m., instead of 6 o'clock as heretofore.

CITY MORTALITY .- From the report of the City In specter, we learn that there were 671 deaths in this city during the past week—a decrease of 4, as compared with the mortality of the preceding week.

Of the entire number, 498 were under one and 592 ander ten years of age. The following table exhibits the number of deaths during the past two week Among adults and children, distinguishing the sexes:

Men. Women. Boys. Girls. Totsi.

Week ending Sept. 5. 25 67 220 25 671

Among the principal causes of death were the fol-

lowing: Consumption, 97; convalsions (infantile), 42; inflammation of the lungs, 23; inflammation of the brain 14; scarlet fever, 8; marasmus (infantile), 83; dropsy in the head, 19; measles, 8; croup, 14; cholera infantum, 127; bronchitis, 5; diarrhea, 34. There were also 4 deaths of apoplexy, 12 of congestion of the lungs, 28 of dysentery, 7 of disease of the heart, Il of congestion of the brain, 13 of teething, 12' promature births, 26 stillborn, and 10 deaths from v

The following is a classification of the diseases and the number of deaths in each class of disease during the past week: Bones, joints, &c., 4; brain and perves, 99; generative organs, 1; heart and bloodvessels, 10; lungs, throat, &c., 147; old age, 5; skin, &c., and eruptive fevers, 17; stillborn and premature births, 38; stomach, bowels, and other digestive organs, 311; uncertain seat and general fevers, 36; urinary organs, 3-total, 671.

The number of deaths, compared with the corre sponding week in 1855 and 1856, was as follows:

 Week ending Sept. 15, 1255
 568

 Week onding Sept. 13, 4656
 476

 Week ending Sept. 5, 1857
 675

 Week ending Sept. 12, 1857
 671

The nativity table informs us that 542 were natives of the United States, 74 of Ireland, 31 of Germany, 12 of England, 4 of France, I each of Sootland, Italy, Switzerland and the West Indies, and 2 un-

APPOINTMENT OF DEPUTY-SHERIFF OF WESTCHES TER COUNTY.—James Ryder, eeq., of Sing Sing, has been appointed a Deputy-Sheriff of Westchester County.

DEATH BY ACCIDENTAL DROWNING .- An inquest was held at No. 29 Washington street by Coroner Perry, on the body of Keran McCormick, who was drowned by falling into the North River from Pier No. 2, on Friday afternoon. The deceased was at work on the pier, and fell overboard in some manner unknown, when no one was present, leaving no evidence behind of what had become of him except his hat, which was found on the wharf. His body was recovered the following evening, and conveyed to the residence of his brother in Washington street. The Jury rendered a verdict of death by ascidental drowning. The deceased was 28 years of age and a native of Ireland. He was a single man.

INTERFERENCE WITH THE POLICE.-Mr. Carpenter, Deputy Superintendent of the Police, on Saturday

INTERFRENCE WITH THE POLICE.—Mr. Carpenter, Deputy Superintendent of the Police, on Saturday received the following letter:

"To Deputy Superintendent Daniel Carpenter.
"Sire. The following is my relation of the difficulty with Alderman Healy of the Fourth Ward:
"Last Wednesday night about 9 o'clock, while patrolling my beat at the corner of Catharine and Madison streets, a man by the name of Mahoney ran out of a public place kept by a Mr. Rice, pursued by a man whom I afterward ascertained to be Rice. When he came up with Mahoney, Rice beat him in a most violent manner. As I interfered to stop this breach of the public peace, Alderman Healy came up and seized me by the collar of my coat, and separated me from Rice as I was about to arrest him. I remonstrated with Healy for preventing me from discharging my duty, when he claimed he was a magistrate, and therefore had the right to take the prisoner from me. Healy rescued the prisoner from me three several times, but with assistance of Officers Lewis and Buttenfield I finally succeeded in getting him to the Station House. As we reached the Station-House, Alderman Healy, who had followed us, immediately took it upon himself to discharge the prisoner and complaint forthwith, without buil and without a hearing, although Mahoney made a complaint against Rice for assault and battery with intent to kill. This is a plain statement of the facts, which is respectfully submitted by Your obedient servant.

"GEO. W. PETTY, Patrolman, Fourth District."

WESTCHESTER COUNTY COURT-HOUSE,--The new Court-House at White Plains was opened on Thursday last. It is believed to be the most beautiful CourtRoom in the State, not even excepting any in the City

WITHDRAWAL OF FIRE COMMISSIONERS' RESIGNA TION.-The following letter from the Board of Fire Commissioners to Mr. John A. Cregier, Chairman o the Committee from the Board of Representatives, settles the question "Whether the Commissioners will

resign: New-York, Sept. 1, 1857.

John A. Chegier, Esq., Chairman Committee Board of Re-

Drag Sik: The undersigned, members of the Board of Fire dof our resignations.
duties of the office being of a very onerous nature, and

The duties of the onice senig of a very onerous nature, an irrepassing so much upon our time, induced us to tender or resignations; yet the action of the Representatives in approxing the course pursued by us in such complimentary terms, in induced us to comply with the request, and withdraw or resignations for the present. Respectfully yours.

Signed, WILLIAM WRIGHT, EDWARD BROWN, ANDREW CRAFT, JOHN W. SCHENCK.

YELLOW FEVER PATIENTS BY THE ILLINOIS .-The following record shows the names and disposition of the yellow fever passengers by the steamship Illinois. They were attended by Dr. Bissell, Physician to the Hospital at Quarantine, and Dr. Boardman, practicing physician at Stapleton, who was called in by Dr. Thompson, the Health Officer, to take the place of Dr. Welser, assistant to Dr. Bissell. Dr. Welser has had an attack of typhoid fever, from which he is now recovering. The record shows unusual success on the part of the physicians, as only six out of 29 died, while the usual mortality under similar circumstances is about 50 per cent.

LIST of Admission	ns. Discharges as	nd Deaths of	Passengers
arrived at the	Marine Hospita	I. Quarantine,	per steamer
Illinois from A	eninwalL		Material Autocontrol of the
Date of	Names of	Date of	Date of
Date of No. Admission.	Passengers.	Discharge.	Death.
1Sept. 3	Hannah Schaeffe		Sept 7.
2 Sept. 3	John H Berber		Sept 6.
3Sept. 3	Theredore Simon	oti —	Sept. 5.
1Sept. 3	Frederic Inlies	, –	Sept. 4.
5Sept. 3	Mes Blandosth		Sept. 4.
6Sept. 3	Harry Dochron	Sent 7	Sept. 4.
7 Sept. 3	Charles Lasthar	Sant 10	
8Sept. 3	William Clanner	still have	
o Sept. 3	Plabard Call	Cast 0	
9Sept. 3	Richard Chik	верь в.	7.0
10Sept- 3	A. J. Downer	Sept. o.	-
11Sept. 3	George Brown	Sept. 5.	-
12Sept. 3	Thomas Wilson.	Sept. 7.	-
13Sept. 3	Richard Walsh	Sept. 7.	-
14 Sept. 3	L. M. Runnyen.	Sept. 7.	-
15 Sept 3	J H Mitchell	Sept. 7.	-
16 Sept 3	Jane Franks	Sept. 7.	_
17 Sept 3	James Reilly	Sept. 7.	ent.
18 Sept. 3	A J. Morell	Sept. 7.	-
19 Sept. 3	James Burgess	Sept. 8.	-
20 Sept. 3	Nicholas Andrew	s Sept. 8.	_
21 Sept. 5	James Purcell	Sept. 7.	-
22 Sept. 5	Andrew Duncan.	Sept. 10.	-
23 Sept. 5	Samuel Douglas.	Sept. 8.	_
24 Sept. 5	J. P. Jackson	Sept. 8.	-
25 Sept 5	Henry Hatfield	Sept. 10.	-
26 Sept. 5	John Koch		Sept. 10
27 Sept. 6	William Fitzgera	d Sept. 8.	
28S+pt. 6	G. W. Birdeale	Sept. 8.	_
29 Sept. 7	John Fortune	Sept. 8.	-
Total number of	Admissions, 29:	Discharges, 22:	Deaths. 6:
remaining, 1.			
C. Landerston M. V.	- 4 7 4 7	44 444	

Marine Hospital, Quarantine, Sept. 12, 1857.

DEATH BY BURNS -Coroner Perry held an inquest t No. 66 East Thirty-fifth street, on the body o Catharine Cornell, an Irish girl, 22 years of age, who died from the effects of severe burns. The deceased was in the employ of Mr. Albert G. Richardson, and on Monday evening last she retired to her room in the attic to dress herself, preparatory to going out for the evening. Soon afterward, Mr. Richardson, while sitting in his room, heard a scream, and hastened up stairs to see what was the matter. He met Catharine coming down with her clothes in a blaze, and, intercepting her progress, threw her on the floor, and finally succeeded in extinguishing the flames, but not until she was frightfully burned. The poor girl lingered till Friday evening, when she expired. Coroner Perry held an inquest on the body, and from the evi derce adduced the Jury rendered a verdiet of "Death "by burns accidentally received September 7, 1857."

FATAL ACCIDENT TO A BELLEVUE HOSPITAL ATTACHE-THE RESULT OF INTEMPERANCE .- COTOROT Perry held an inquest at Bellevue Hospital on the body of John Hanniffin, recently an orderly in that institu tion, who died from the effects of a fall. The deceased, it appears, having been absent from the Hospital a few hours on Friday afternoon, entered at 91 o'clock in the evening, in a gross state of intoxication, and proceeded to a room in the fourth story of the building, where he went to bed. The following morning, just before day-light, a person who slept in one of the lower rooms in looking out of his window, saw the deceased lying on the ground, and immediately gave notice of the fact. On taking up the deceased his body was found to be cold and stiff, death evidently having taken place some nours before. His skull was fractured. It is believed that Hanniffin, who was in the habit of sleeping with his window open, had arose after going to bed, and while staggering about the room in a partial state of delirium, went to the window, and losing balance, was precipitated to the ground and killed. The jury rendered a verdict of death by fracture of the skull in consequence of accidentally falling from the fourthwas 36 years of age, and a native of Ireland.

ACCIDENT .- On Saturday a deaf and dumb girl employed as a bookfolder at No. 114 Nassau street, fell down the batchway from the second story, and was seriously injured. She was taken to the Hospital.

ATTEMPT TO COMMIT SUICIDE.-A woman named Francis Kemble attempted to commit suicide on Sat urday night, while in a cell of the Thirteenth Pre circt Station House, by hanging herself by her shawl. Officer Miner, the doorman, discovered her, and cut her down before life was extinct. The rea son given for the act was abuse she received from her

JUVENILE RIOTERS .- Two gangs of juvenile row dies, varying in ages from 8 to 14 years, one boasting in the title of Dead Rabbits and the other that of the Bowery Boys, ambitious of obtaining some notoriety, ake their predecessors in rowdyism of older growth, about 6 o'clock last evening assembled at the corner of Canal and Centre streets, and commenced throwing stones at each other. A posse of policemen of the Sixth Ward instantly repaired to the spot for the pur pose of quelling the disturbances; when the young rioters, backed by a number of the senior Dead Rab bits, made an attack upon the police with stones, brickbats and other missiles. Three of the ringleaders Patrick Floyd, Wm. F. Rourke and Malachi Connelly were secured and lodged in the Station-House, after which the crowd numbering over 300 disorderly characters dispersed, and at 9 o'clock last night the Ward was reported "all quiet."

THE HICKEY HOMICIDE CASE. - Coroner Connery's investigation into the circumstances attending the death of Michael Hickey, the Custom-House porter who died a few days ago from the effects of a stab in the abdomen, received on the night of the 2d inst., by some person yet unknown, during a quarrel at a political meeting in the First avenue, near Eleventh street is not yet concluded. Several witnesses were examined on Saturday, but none of them seemed to be i possession of any important facts touching the individual who dealt Hickey the fatal blow. It is believed that several persons know about the transaction, and that they are now in the city; but if so, they decline to show their faces. Probably the inquest will be finished to day.

ALLEGED HIGHWAY ROBBERT .- At a late hour Saturday night Dennis Sullivan alias Scotty, an Eaglishman, 23 years of age, with three or four confederates committed a violent assault upon Hiram Palmer, of No. 365 Water street, and after wards robbed him Palmer alleges that as he was passing along Water street near Roosevelt street, on his way home, he wa accosted by Sullivan and two other fellows who asked him to treat them. He consented to do so, and a they were proceeding to a place designated by Sullivan, where he (Sullivan) said they could get some good liquor, Palmer was seized by the throat and vio ently thrown upon the sidewalk by the ruffians who took from his vest pecket \$5 or thereabouts in bills and small change. The rascals then fied, leaving their victim in a helpless condition on the sidewalk. Palmer soon recovered and gave information to officer Gerrofett of the Fifth Precinct, at the same time giving a minute description of Scotty. In less than an hour the officer arrested Sullivan in O'Brien's groggery, not far from where the robbery was committed, and the prisoner was positively identified by Palmer as one of the gang who assaulted and robbed him. The efficer at daylight in searching about the place where the outrage was perpetrated, found Palmer's portmonnais. Search was made for Scotty's confederates, but they were non est.

Justice Connelly committed Sullivan alias Scotty to the Tombs for trial in default of \$2,000 bail, and detained Palmer as a witness.

A Case of Alleged Wife Murder - False ALARM.-The police of the Second Precinct on Satur day merning reported to Deputy-Superintendent Car penter the arrest of Matthew Bannan, a native of England, residing at No. 158 East Twenty-seventh street, on suspicion of having caused the death of his wife Eliza by inflicting violence upon her person. The following afternoon, Coroner Perry having been notified of the affair, repaired to the place and held an inquest on the body of deceased. The evidence went to show that Mrs. Bannan, as also her husband, were both persons of intemperate habits, and that, while under the influence of liquor, frequent quarrels took place between them.

Mary Lewis, who lived in the same house with deceased, deposed that Bannan had never struck his wife as far as she knew.

Dr. O'Reily testified that Mrs. Bannan had been sick for several months, and that he had attended her. Feeling confident that she could not recover, he expressed such an opinion to the patient and also to her husband.

Dr. Christopher Wel'je made a post-mortem exam ination of the body, upon which he found no marks of violence whatever, and from the condition of the internal organs and the general history of the case, he was of the opinion that the deceased came to her death by phthisis pulmonalis.

The Jury accordingly rendered a verdict to that

Bannan, who had been arrested to await the result of the Coroner's inquisition, was discharged from custody. The deceased was 40 years of age and a native of Ireland.

CHARGED WITH KEEPING A DISORDERLY HOUSE. On Saturday last, Inspector Turnbull and a number of residents of the 8th Precinct, proceeded to the District-Attorney's office and made complaint against the proprietor of the establishment No. 107 Grand street, charging him with keeping a disorderly house. Upon these representations the District-Attorney made following affidavit, which was sworn to before Judge

Russell:

A. Oakey Hall, being duly sworn, deposes and says that he is District-Attorney of the County; had been informed by Inspector Turnbull of the 8th Precinct, and by James Morris, esq., and other citizens residing in the vicinity of Grand and Mercer streets, that one Alexander Hoag keeps and maintains, at No. 107 Grand street, corner of Mercer street, a common disorderly house and premises, which is, as deponent is informed and verily believes, and so charges, the resort of vagrants, prostitutes and disorderly characters—under the law declaratory of such offenders both by day and night, but more especially by night—and that their conduct is so violent and tumultuous as to disturb the common neighborhood. Deponent therefore prays that a warrant may issue for the apprehension and arrest of the said Alexander Hoag, and all parties found upon his premises who are vagrants and disorderly persons, that they may be dealt with according to law.

The house being within the Second Police District, application was made to Justice Daylson, who issued

application was made to Justice Davison, who issued warrant for the arrest of Hoag, and placed it in the hands of Inspector Turnbull.

Yesterday morning, or between 12 and 1 o'clock while the establishment was in full blast, Inspector Turnbull and Sergeant Glenn entered the place and arrested Alexander Hoag and three women, who gave their names as Sarah Hoag, Bella Herbert and Josephine Kelly. The prisoners were yesterday taken before Justice Flandreau, at the Jefferson Market Police Court, who held Hong to bail in the sum of \$500 to answer, Thos Besson of No. 145 West Twenty-second street, becoming his surety. The women were discharged.

THE ALLEGED WIFE MURDER CASE IN AVENUE A -Coroner Connery on Saturday morning continued at his office in Centre street, the inquisition commenced several days ago relative to the cause of death of Mrs Mulder, late of No. 6 Avenue A, whose brother alleged that her decease was the result of violence inflicted at the hands of her husband, Jacob Mulder. Considerable evidence was taken, but of quite an unimportant character, as it failed to show any guilty knowledge on the part of Mr. Mulder in reference to the crime with which he was charged. Witnesses whom it was believed could give important testimony when pla on the stand, knew little or nothing of the matter at issue. Finding it impossible to throw any farther light upon the subject, the Coroner brought the inquest to a close by submitting it to the Jury for their considera-

tion. The following verdict was soon returned:

"That Mary Mulder, the deceased, came to her seath by compression of the brain, the result of a fracture of the petreus portion of the temporal bone. The Jury are unable to say from what cause this cirun stance occurred.'

The evidence taken in this case will be submitted to District-Attorney Hall, who will transfer it to the Grand Jury for their action, if in his judgment he deems it sufficiently strong against Mulder to warrant them in uttering a true bill of indictment.

Some days ago Mulder was required to and did give bail in the sum of \$500 to insure his future appearance

A STRANGER DRUGGED AND ROBBED .- On the night of the 19th inst. a scafaring man, named Charles Miller, landed from a boat on the North River side, not far from the Battery, and inquired of two men who were standing on the dock the way to the Sailors Home, in Cherry street. The men replied that they were going in the neighborhood of the Home, an would show him where it was. The trio started off, and Miller was shown into a filthy rum shop near Fulton market, and there compelled to join his conductors in a "glass of grog." In a little time he became stupid and partially insensible, in which condition the two fellows, who proved to be thieves, carried him to a lore place, and there rifled his pockets, taking all the money he had with him at the time, some \$23 55.

The next morning Miller, on awaking, discovered his less, and after some trouble traced his way to the rumshow where he was taken the night previous, and there learned that the persons who were with him were tamed John Donohue and Michael Anthony. On complaint being made a warrant was issued and placed in the hands of Officer King, of the Lower Po lice Court, who arrested the accused. Miller positively identified Donohue and Arthony as the men who had volunteered to show him the Sailors' Home. A pair of gaiter boots, which had been stripped from Miller's feet immediately after he was drugged, were found npen Anthony. Justice Connolly committed the accused for trial.

BEATING HIS WIFE AND KILLING HIS CHILD-AR REST OF THE ACCUSED .- About 101 o'clock on Satur day right Patrick Traston, an Irish plasterer, living at No. 123 West Twenty seventh street, was arrested by Officer Dennison of the Twentieth Precinct, charged with causing the death of his child, an infant three

The Police report that on last Thursday evening Trasten beat his wife in the most brutal manner, and er cries so alarmed some of the neighbors that foarirg he would take her life they ran into the house to make peace between them and finally succeeded in quieting the enraged man for the time being. The friende who had so timely interfered to protect Mrs. Tiseton had scarcely left the house however before he commenced another violent assault upon her and did not desist till he had buried her headforemost to the bottom of a long flight of stairs—the poor woman at the time having her infant child in her arms. The

wife and mother was seriously bruised by the fall and her child fatally injured. From the violence the babe received it lingered in a state of insensibility till Saturday night and expired.

Coroner Perry was notified to hold an inquest, and ast evening proceeded to where the deceased lay for that purpose.

Traston was locked up in the Station-House

await the result of the inquisition. ANOTHER PATENT-SAVE SWINDLE .- Mr. William Plukes, recently from California and on his way home

to Vermont, was robbed of \$50 by the patent-safe game at Greenwood on Friday. One of the swindlers, named George Ross, was arrested by Officer Clark of the Eighth Ward and the money recovered. The ac cured was locked up to await examination. THE COLLISION ON THE EAST RIVER.-We were in-

correct on Saturday morning in stating that Mr. Coffee was the delinquent pilot. Mr. Coffee is the pilot of the Oralaska, and one of the most careful men in the employ of the Peck slip Company. Rockwell, the pilot of the South of Tenth street boat, was dismissed by the Peck slip Company, some time since, for reckless con-

A BABY FOUND .- A male infant, about six weeks of age, was found on Saturday evening in the area of a house near Washington square. Accompanying it was a note, stating that the mother is but fifteen years of age, and she hoped that those into whose hands it might fall would take good care of it-as it was not cruelty that impelled her to part with it, but the want of means for its support. The child was taken to Mr. Kellock, Superintendent of the out-door poor, who placed it in charge of a nurse.

HARL OF PROSTITUTES .- The police of the Fifth Precinct, on Saturday evening, arrested twenty two treet-walkers, who were promenading the streets of

THE ST. NICHOLAS HOTEL DEFALCATION-LAWLER DISCHARGED .- On Saturday afternoon the hearing in this case was finished before Judge Russell at his office, No. 25 Chambers street. Messrs. Graham and Sacia appeared for Mr. Lawler, and Mr. Harrington

for Messrs. Treadwell & Co.

Mr. Graham stated that he had one witness whom he wished to examine, a Mr. Elias E. Balcom, for the purpose of testing his knowledge of the \$62 which it was alleged Mr. Lawler received from Dr. Marshall and appropriated to himself.

Mr. Balcom was then sworn, and his deposition. taken before Justice Connolly on the 18th of last August, was read to him by Mr. Graham. Mr. Graham then cross-examined him on his deposition. His evi-

then cross-examined him on his deposition. His evidence was as follows:

Dr. Marshall paid his bill to Mr. Lawler in paper money; I did not examine it to see of what denomination the bills were; my particular business was giving out rooms: I have received bills from boarders at the house; on the day Dr. Marshall paid his bill there were no bills paid to me; I cannot state positively that I did receive any bills on that day; I am not in the habit of receiving money, although occasionally I received bills when Mr. Lawler was away at his meals and when his assistant was not present: I believe that and when his assistant was not present; I believe that the assistant's name was Willis; sometimes Mr. Willis got there before Mr. Lawier had his breakfast and got there before Mr. Lawler had his breakfast and sometimes after. It was about a month previous to Dr. Marshall's paying his bill that Mr. Willis had been there; I did not receive any bills on that day, but could not swear positively that I did not; I did not see what Mr. Lawler did with the money when Dr. Marshall paid it to him; of my own knowledge I cannot tell what become of the money after the Doctor handed it to Mr. Lawler; I never examined the drawer of the deak to see if it was there.

Direct examination—Dr. Marshall paid the bill at about 7 o'clock in the morning; Mr. Willis had not been there then; I do not recollect going to the money drawer in charge of Mr. Lawler that day; I have received bills of persons leaving the house; sometimes

drawer in charge of Mr. Lawler that day; I have received bills of persons leaving the house; sometimes I handed them to Mr. Lawler, and at other times I put them in his drawer; I sometimes laid them upon Mr. Lawler's desk: I have collected money from guests while Mr. Lawler was present; the bills I collected in Mr. Lawler's absence were put in the drawer, and a memorandum of them made in the cash-book in pencil mark; I put it in pencil mark for the purpose of drawing Mr. Lawler's attention to it when he returned, so that he might examine the accounts and see that they were correct; his attention was always directed to it upon his return; I would speak to him about it, and show him the account I had settled in his absence; he would then rule them out and make entries of them in his own handwriting in the cash-book.

Q. What was done with that money?

O. What was done with that money?

Objected to by Mr. Graham.

The Judge said that he could not allow counsel to go beyond the two points he had previously stated—whether Mr. Lawler took the money after it was in the drawer, in pessession of the proprietors, or whether Mr. Lawler intercepted it.

Mr. Harrington said that the other side had put in new matter, and he wished to examine the witness on the same question.

new matter, and he wished to examine the witness on the same question.

The Judge said the only question was whether the crime had been committed. If none had been committed, he nust discharge Mr. Lawler.

Mr. Harrington said that there were facts stated in the case which would be sufficient to throw the onus of guilt on Mr. Lawler. It was apon these facts he had been committed, and it was unknown to the law that a City Judge had the right to review the proceedings of a committing Magistrate, or that he had the power to decide that such Magistrate had erred.

The Judge thought Mr. Harrington could not have examined the Supreme Court authorities on the subject, or he would have never given utterance to his last expression.

last expression.

Mr. Graham said the case of the Martin girl fully settled that question.

Mr. Harrington argued that he had never claimed

that the proprietors of the hotel had possession of the money; he had intended to prove that the money had been secreted. He then proceeded on the direct exon ination.

O. On his return what did Mr. Lawler do relative

Q. On his return what did sir. Dawie to reasoning the morey that had been taken by you during his absence !

Mr. Graham objected to the question on the ground that it did not threw any light on either of the

offeness.

The Judge sustained the objection.

Mr. Harrington remarked that, under the ruling of Judge, he had no further questions to ask.

The evidence of Mr. Balcom was then read and he

signed it.

Mr. Harrington called Mr. Rogers, who was then sworn, and his direct examination by Mr. Harrington

was as follows:

Mrs. Hatch paid her bill very near 7½ o'clock in the morning; I could not say who was in the office at the time—whether the night watch or the room clerk; I could not say whether Mr. Willis was present or not, nor at what time he arrived; the bill I received from nor at what time he arrived; the bill I received from Mrs. Hatch I laid upon Mr. Lawler's deek; it was there when I left; that was the last knowledge I had of it; Mr. Lawler had charge of the day-book and the carh-book; the cash received from the guests of the house is entered in the cash-book, and the day-book contains the rames of the guests of the house.

Q. It you examined the cash-book could you tell what sums had been entered?

Mr. Graham objected to the question.

Mr. Harrington said that he could show by the books that a crime had been committed. The day-book would show that the receipt of this money was acknowledged by Mr. Lawler, and by the cash-book he would show that it had not been entered.

The Judge asked Mr. Harrington if he wished to show that the omission to put it in the book constituted the crime.

the difference of the produce the books for that purpose, but the Judge overruled it, saying that the books could not be introduced.

Mr. Harrington then said that he was through.

Mr. Graham moved that Mr. Lawler be discharged from castedy.

from custedy.

Mr. Harrington objected. He said that a prima facie case of embezzlement had been made out; and even if it had not been, the evidence sustained the charge of larceny, and therefore Mr. Lawier must be

Judge Russell replied, that Mr. Harrington had not proved that Mr. Lawler had committed a crime. Upon the evidence produced he could not see how an incictment could be sustained. He should, therefore, direct Mr. Lawler's discharge.

Mr. Graham remarked that if Mr. Lawler

Mr. Graham remarked that if Mr. Lawler was wanted at any time, he would always respond. By sending word to Mr. H. Sacia, his associate counsel, it would be sure to reach Mr. Lawler. He was glad that the Judge had permitted Mr. Lawler to go without the label of thief any longer attached to him. The following is the order discharging Mr. Lawler: The witnesses in support of the two complaints made in the papers before Justice Flandreau, having been examined before me, after hearing counsel for the said John M. Lawler and fer the prosecution, I do hereby direct the discharge of the said John M. Lawler from the imprisonment mentioned in his peti-

tion, on the ground that the charges against him have not been sustained before me.

ABRAM D. RUSSELL, City Judge.

New-York Firemen (Americus No. 6.)—This Company of New-York fireman arrived in this city last evening about 7 o'clock, by the steamer Jeany Lind. The whole of the Montreal Fire Brigade, altereded by four bands, turned out to receive them; fully a thousand citizens were also assembled, and the enthusiastic cheers which they received must have convinced them, if previously they had any doubts, that they were "heartily welcome." A procession, and it was an imposing one, was formed and proceeded through M Gill street, Great St. James street, around Place d'Armes, and down St. François X avier street to the Mentreal House, where they put up during their brief stay in Montreal. Our friend Coleman had the pretty little fountain, of which we spoke yesterday, decorated with colored lamps, and playing. The effect was very beautiful. A line of flags was hung across from the hotel to the Custom House. Americus No. 6 have their machine with them, and it is a spicy looking one; they are accompanied by Dodworth's celebrated Brass Band, and the soul-stirring sounds they produced, as they marched through the city were greatly admired. The men that composed the fire company are as able-bodied a set of fellows as we would wish to see. Their dress consists of light drab pants, with red flannel shirt, and regular fireman's hat; also an overcoat of same material as pants. Later in the evening the ball and supper took place in the City Concert Hall. Shortly before nine the New-York firemen arrived, and almost immediately after His Worship the Mayor took the chair and opened the proceedings of the evening with a few remarks. It was not his intention to make a long speech, but merely to congratulate them upon their arrival. Captain Bertram and the Fire Brigade NEW-YORK FIREMEN (AMERICUS No. 6.)-This a few remarks. It was not his intention to make a long speech, but merely to congratulate them upon their arrival. Captain Bertram and the Fire Brigade he knew would do all in their power to make their stay agreeable. He knew something of the firemen of New-York. He knew what they could do, and there was no set of men more respected in the United States than the twenty-seven hundred firemen of New-York. He knew what they had suffered in the execution of their duty; some were laid upon beds of sickness and not unfrequently life was lost. But this did not prevent them from doing their duty. The firemen of Monireal had not been slow in following their example. He paid them a compliment, and then sat down, beping that the New-Yorkers would enjoy themselves.

Captain Bettram, Chief Engineer, then said a few

Captain Bertram, Chief Engineer, then said a few

Captain Bertram, Chief Eugineer, then said a few words, in which he alluded to the great pleasure it gave the Montreal firemen to receive their brethren from New-York, and their regret at the shortness of their stay; still he hoped it would be a pleasant one. Foreman Tweedy of Americus Engine returned his sincere and heartfelt thanks for the enthusiastic reception they had received—for the kind words which had just been expressed, for he knew they were such as came from the heart. His Company were making a brief—a flying—visit through their own Northern States and a few of the Canadian cities. During their stay in Montreal, they had no idea of receiving more than the briefest courtesies; but the warm reception they had received would not be effaced by time, and would remain among the happiest recollections of their life. He returned thanks on behalf of his own Company and of the entire New-York Fire Department; and he hoped that at no distant day they would be able to take their Montreal brethren by the hand, and show them some of the sights of the great metrepolis of the United States.

Mr. Turner of the New-York Fire Company then followed in a very pleasing address. He thanked the Montreal firemen for the recention they had given

Mr. Turner of the New-Lork Fire Company there followed in a very pleasing address. He thanked the Montreal firemen for the reception they had given them, and said there were no sentiments the Montrealers could express but that would be warmly reciprocated by every heart present. He paid a compliment to the Queen, who, he said, was as it were but a lass, yet one of the loveliest women that ever sat upon a thorne.

a lass, yet one of the loveliest women that ever sat upon a throne.

Thomas D. M'Gee, esq., next spoke. He said that perhaps he was called upon to welcome the New-York firemen, from the fact that he was formerly a citizen of New-York, and that it was naturally to be supposed he would be glad to see them. He alluded to the friendly feelings which now existed between the two countries, and recommended that if even the smallest spark of ancient animosity could be discovered, that the firemen play upon it and put it out.

Mr. J. J. Day made a few remarks, after which dancing was commenced, and continued with great vigor till an early hour this morning. The red uniforms of the firemen, and varied-colored dresses of the "fair sex" made the scene a pleasant one. The room was beautifully decorated with flags, banners, mottoes, fire buckets, &c. The refreshments were supplied by

fire buckets, &c. The refreshments were supplied by Alexander, and were all that could be desired; indeed they were much superior to what is generally supplied at balls. at balls.

The New-York firemen leave this evening by boat for Quebec; after this they proceed to Portland, Boston and New-York. We trust they are pleased with the reception they received here. [Montreal Pilot, 12th.

GRAND LARCENY .- On Saturday afternoon, Office Grand Largeny.—On Saturday afternoon, Officer McPherson of the Third Precinct arrested one Charles Vallot, a Frenchman, residing at No. 133 Reade street, charged with having stolen a clock, prayer-book, Bible and three vests, in all valued at \$42, from Ann McGinness, an occupant of the same house. As is alleged, Vallot was caught in the act of taking some of the articles, and a portion of the stolen property was recovered from a pawnbroker's shop, where he had pledged it for a small consideration. Justice Connolly committed Vallot to prison for trial.

[Advertisement.]
THE WELSH NIGHTINGALE.—This charming lady, Miss E. L. Williams, fresh from her triumphs in Europe, com-mences a bris tengagement this evening at Barnum's Museum. She is the best ballad singer in Weish, Irish and English, ever heard. The famous author of the "Low Backed Car," &c, has prepared a superb vocal entertainment for her, in which she austains 13 characters and sings 17 different songs. The grand Aquatia open to day at Barnum's beside. Here's novelt;

[Advertisement.] To MERCHANTS .- If you had a practical knowl edge of PHRENOLOGY it would enable you to detect rogues, and help you in all your intercourse with customers. You should also know your own power, which can be given by Prof. Fow

LER's examination, at No 308 Broadway. [Advertisement.]

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The attention of Gentlemen is particularly invited to one beautiful and very attractive Hat for Autumn.

WARNOCK & Co.,

NO. 519 Broadway,

St. Nicholas Hotel.

TEAN.—THE CANTON TEA COMPANY have on band every variety of TEAS for Grocers, Tea Dealers, and private families—Souchoux, Colong and Young Hyson, from 3s cents to 40 cents; Gunpowder and Imperial from 30 cents to 55 cents—all other qualities equally low. Also, 3 B boxes of good Family Tea for one dollar. Call and examine.

No. 125 Chatham-st. bet en Pearl and Roosevelt-sta.

## BROOKLYN ITEMS. PRISONERS IN JAIL .- The number of prisoners con-

fired in the Kings County Jail and awaiting trial is 57. Of these, 5 are charged with murder, 15 grand larceny, 1 rape, 4 forgery, 3 burglary, 1 receiving stolen goods, 2 attempt to kill, I infanticide, I attempt to poison, I embezzlement, I highway robbery, I attempt o pass counterfeit money, I causing death of wife by brutal treatment and neglect, I causing death by administering an overdose of laudenum, I fraudulent representations, 8 petit larceny, 7 witnesses, 1 on order of arrest, I in default of bail, and I for assault and battery.

THE COURTS .- The Circuit Court and Court of Over and Terminer, Judge Birdseye, presiding, will assemble this morning. A Grand Jury will be impanneled for the Oyer and Terminer, and will probably be discharged as the Grand Jury of the County Court are

THE CITY COURT .- Judge Culver will meet this norning for the transaction of civil business.

Scalded.—A child of John Kane, aged three years, residing at No. 139 Plymouth street, was badly scaled on Saturday, by steam which was being blown off from the boiler of a cerdage factory in Plymouth street, near Gold. The pipe leading from the boiler leads into the gutter in the street, and the child, while

playing in the street, stumbled and fell into the scalding water and steam. A woman residing opposite saw the child fall, but could not rescue it until it had been badly scalded about the face and breast. Dr. Zany was called, and ordered its removal to the City Hospital. It is thought to be internally injured, and cannot survive.

survive. Charge of Larceny.—Three boys, named James Quin, aged 20, James Wilson, aged 17, and James Bloyd, aged 16 years, arrested by Officers Tinkham and Lyons, were brought before Justice Clarry on Saturday, on the charge of stealing copper, at various times, to the value altogether of \$700, of Grahams Polley. The evidence not being sufficient to hold Wilson and Boyd, they were discharged, but Quin was beld for examination.

FURGLARY.—During Friday night the dwelling of W. Wippenhurst, grocer, at the corner of South Second and Eighth street, was entered and robbed of jewelry to the value of \$75. The family were in the house at the time.

### NEW-JERSEY ITEMS.

MURDEROUS ASSAULT .- On Saturday a negro. samed Michael Walker, a steward on board of the schooner Whitmore, was assaulted by a hand, named Patrick Brown, on board of the same vessel, who bee him savagely. Walker had complained to the captain of Brown for spilling molasses upon the deck. Brown assaulted the negro with a wrench and afterward with a hammer, and cut his head shockingly. But for the interference of others, Brown would have probably murdered him. Walker succeeded in getting to Recorder Redford's office, where he lodg plaiat. A warrant was issued, but Brown had escaped. The injured man was taken to the Alms House.

Assault.—On Friday night, at 11 o'clock, a milk-man, named Martin Williams, was severely beaten while in Sussex street, Jersey City, by four man, who demanded that he should treat them, which he refused to do. The peliceman on the beat came up, but too late to arrest them in the act. He went to the residence of Justice Wm. T. Rodgers, in Essex street, who issued warrants for their arrest, and before morning three of the violators of the reace, named Michael ing three of the violators of the peace, named Michael Follen, Patrick Follen and Francis Curley, were in custody. On Saturday morning Justice Rodgers held them to ball in the sum of \$300 each, in default of which they were committed. which they were committed

which they were committed.

The Finale of an Elorement.—Quite an excitement was created at an early hour this morning, at one of the hotels, by the discovery of an eloped couple by the husband of the woman. The circumstances of the care are as follow: About eight days since a fine-looking young German, about 21 years old, with a rather handsome young married woman, eloped from New York and came to this city. Being discovered, as stated, by the husband, the latter was much engaged, and this morning, arming himself with a heavy pistol, proceeded to the room where the guilty couple were, with the intention of shooting the young man. Bloodshed being feared, the police were sent for, and Aid Brant went and succeeded in obtaining the pistol, which was loaded with a ball. He then got entrance into the room, and so arranged matters that the wife and her legal spouse returned together to New York, and the young man proceeded in an opposite direction. The husband was exceedingly enraged at first, and had it not been for the interference of the officer, the result would doubtless have been serious.

[Newark Daily Advertiser of Saturday.

A move in State politics has been made by the Re-publicans of Salem County, N. J., who held a Con-vention on Tuesday and nominated for State Senator, Wm. F. Reeve; for Surrogate, Henry Sinnickson; and for Shenif, Richard C. Ballinger.

TALL SORGHUM.—This plant has reached the hight of 181 feet on the premises of Wickliffe Beach, South Orange, N. J., and is still growing.

Frederick Flipps, the counterfeiter arrested a few days since in Newark, and now in confinement in Easex County jail, has been ascertained to be a fugitive from justice who escaped from the Herkimer County, N. Y., jail last spring, where he was under sentence for an aggravated assault and battery.

Sussex County was visited by a white frost on Sussex County was visited by a white frost on Tuesday night last, which was quite heavy on the low grounds, but does not appear to have effected any damage. Sussex County, this year, in butter, pork, poultry, rye, corn, honey, &c., bids fair to outdo the production of any former season. The blight in the potatoes does not appear to be very extensive, and this crop also may be set down as a good one. Many pieces of buckwheat have been damaged by hot suns while in the flower, and there is danger that the aggregate yield will be less than usual.

The Sussex County Grand Jury found twelve bill of indictment. Wm. Horton was convicted of burglary, and serterced to State Prison for three years David Crampton do. two years; do. breaking jail, on

At about 1 o'clock on Saturday morning, a fir-broke out in a stable belonging to Martin A. Howet, esq., in Water street, New-Brutswick, near the Rail-road Bridge, and was nearly consumed before the fir-was put out. The bridge caught on fire two or three times, but the fire was put out before any damage was done to it. The fire was doubtless caused by an incendiary.

# LAW INTELLIGENCE.

THE STREET COMMISSIONERSHIP.

THE STREET COMMISSIONERSHIP.

COURT OF COMMON PLEAS—SPECIAL TERM—SEPT. 12—

Before Judge INGRAHAM.

In the matter of D. D. Comover and Charles Devila.

Judge Ingraham this moraing made his return to the writ of certiorari issued by Judge Davies, of the Supreme Court, commanding that all the proceedings is the case then peading in the Common Pleas be sent before the Supreme Court.

The wit of certiorari granted by Judge Davies sets out in the usual form the application, &c., to inquire into the cause of the detention of Charles Deviin, and commands that the said writ of habeas corpus and all proceedings and the order made thereon, &c., shall be sent before our Justices of the Supreme Court on the second Monday of September, 1857.

The following is the return:

1. Daniel P. Ingraham First Judge of the Court of Common Pleas for the City and County of New-York, do hereby return to the Justices of the Supreme Court, in obedience to a writ of certions issued out of the said Court in the matter of writ of habeas corpus sued out by Richard Rusteed to inquire into the cause of the detention of Chas. Devlin, that on the 28th day of July, 1857, the asnexed petition and other papers were presented to me therefor; that on that day I allowed said writ; that on the 21st day of July, 1857, the day of the return thereof, the said writt was returned by the Sheriff of the City of New-York, to whom the same was directed, with the return thereof and the control of the bearing thereof was given to Daniel D.

That no notice of the hearing thereof was given to Daniel D.

the said writ was returned by the Sheriff of the City of New-York, to whom the same was directed, with the retura therefore an exect.

That no notice of the hearing thereof was given to Daniel D. Conover, because it did not appear that he had any interest in continuing the imprisonment of said Devlin; that on the return of said writ, the petitioner appeared by his counsel. Richard Busteed, esq., and others, Makhat David D. Field and Wan. C. Noyes, esqua, appeared for and on behalf of Daniel D. Conover that on the return of the said writ, the petitioner filed a traverse thereto, which is hereto annexed; that the respondent's counsel read stificavits in his behalf, which are hereto annexed; that it was then agreed between the counsel of the respective parties that all the testimony taken on a certain motion them pending before me should be considered as read on the hearing of this proceeding, which testimony is hereto annexed; that further proceeding, which testimony is hereto annexed; that further proceeding on the said wat were from time to time adjourned before me until the 5th day of August. 1837, and that I committed said Devlin to the cuntody of the Sheriff in the mean time; that after hearing the counsel for the prittioner, and the connect for D. D. Conover in opposition thereto, I did, out the 5th day of August. 1837, decide, for the reasons staked in the opinion hereto annexed, that the prisoner was illegally committed, and I did therefore, order his discharge from imprisonment and did indores such orcer on the said wit of heres copus, which is hereto annexed, at which I return to the said Justices of the Supreme Court as the proceedings and orders which I have made therein, this —day of September, 1857.

The papers, &c., aliuded to by the Judge, have all been published in the various reports of these proceeding and orders are proceedings.

JOHN THOMPSON'S CASE.

SUPERIOR COURT-SPECIAL TERM.—Sept. 12—Before Judge Durg.

Morse Bartis et al agt John Thompson.

This was a motion for an attachment on an allegation of the indebtedness of the defendant to the plattiffs in the sum of \$6,000 The Judge granted the attachment, defendant's counsel obtaining at the same time an order to show cause why the attachment should not be vacated. The matter was argued at great length, and the Judge this morning discharged the attachment defendant alleging that he had assigned all his effects to Platt Adams.

Busing and Carney agt John Thompson.

In this cause, on motion of Mr. Van Vleck, the Judge granted an order for the 15th for the plaintiffs to show cause why the order of arrest made in this cause should not be vacaved.

COURT OF SPECIAL SESSIONS-SEPT. 12 - Before Justices

COURT OF SPECIAL SESSIONS—Sept. 12.—Before Justices
Obsort and Gonnotte.

The whole number of cases on the Clerk's calendar
this mericing were forty prison cases, four suspended cases, and
twenty-six bail cases—numbering seventy in sil. The discussion
of the question of law whether, admitting the house hope by
Sarah Sends, at No. 10 East Eleventh etreet, was hop for
assignation purposes, was therefore a disorderly house within
the meaning of the statue, was again postponed still next
There's;

Eliza Coffins was charged with stealing on the 3d
of August one clock, three sheets and one millow, in all of the
raise of 611, from Josiah S. Orindia, No. 54 White street.
Accused pleaded guilty, and the property was found at No. 128